

JPW



PATENT
ATTORNEY DOCKET NO.: 041993-5234

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gee-Sung CHAE

Application No.: 10/669,467

Filed: September 25, 2003

For: PATTERN FORMING METHOD AND
ELECTRIC DEVICE FABRICATING
METHOD USING THE SAME

Confirmation No.: 4568

Group Art Unit: 1765

Examiner: Vinh, Lan

Commissioner for Patents
Alexandria, VA 22314

Sir:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In an Election of Species Requirement dated October 4, 2005, the period of response to which extends through November 4, 2005, the Examiner required election of one of Species I (species 1a or species 1b) and one of Species II (species 2a or species 2b or species 2c or species 2d). Applicants hereby elect Species 1a and Species 2a for examination with traverse.

Applicants respectfully assert that the Examiner's restriction requirement is improper because the species are divided by the etching means, not processes, structure or other technical feature.

Applicants respectfully request formal examination of this application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 4, 2005

By: 

Robert J. Goodell

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